USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 3/31/2022

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

United States of America and States of the United States, Ex rel. Patrick Donohue,

Plaintiffs.

- against -

20-CV-5396 (GHW) (SDA)

NOTICE AND STIPULATION OF VOLUNTARY DISMISSAL

RICHARD CARRANZA, in his official capacity as the former Chancellor of New York City Department of Education, *et al.*,

Defendants.

IT IS HEREBY STIPULATED AND AGREED by the undersigned, Counsel for PLAINTIFF-RELATOR PATRICK DONOHUE and Counsel for DEFENDANTS, DR. STEPHANIE ELIZALDE sued herein as STEPHANIE S. ELIZADE, and AUSTIN INDEPENDENT SCHOOL DISTRICT sued herein as AUSTIN INDEPENDENT PUBLIC SCHOOL DISTRICT, that pursuant to Rule 41 (a) (1) (A) (ii) of the Federal Rules of Civil Procedure the above-captioned action is dismissed as to DEFENDANTS AUSTIN INDEPENDENT PUBLIC SCHOOL DISTRICT, and STEPHANIE S. ELIZADE, in her official capacity as Superintendent, without prejudice and without costs or fees to any party.

Neither AUSTIN INDEPENDENT PUBLIC SCHOOL DISTRICT, nor STEPHANIE S. ELIZADE, in her official capacity as Superintendent, have served an answer in this case.

This document may be executed in subparts, and, whether or not it is executed in subparts, a signature received by facsimile or electronic mail shall have the same force and effect as an original signature.

Date: March 30, 2022

New York, NY

BRAIN INJURY RIGHTS GROUP, LTD.

Attorneys for Relator Patrick Donohue 300 E. 95 Street, Suite 130 New York, NY 10128 Tel. - 646-850-5035 Fax - 212-504-9532 rory@pabilaw.org ashleigh@pabilaw.org

ROGERS, MORRIS & GROVER, L.L.P.

Attorneys for Defendants Austin Independent School District Dr. Stephanie Elizalde 5718 Westheimer Road, Suite 1200 Houston, Texas 77057 Tel. - 713-960-6000 Fax - 713-960-6025

BELLANTONI, ESQ. (RB 2901)

ASHLEIGH C. ROUSSEAU, ESQ.

jbrush@rmgllp.com ademmler@rmgllp.com

MY DEMMLER, ESO. ADMITTED PRO HAC VICE

Plaintiff has dismissed its claims against Defendants Dr. Stephanie Elizalde and Austin Independent Public School District. The Clerk of Court is directed to remove the names of those two defendants from the caption of this case.

SO ORDERED.

Dated: March 31, 2022 New York, New York

GREGORY H. WOODS United States District Judge